

# UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS  
ENACTED DURING THE SECOND SESSION OF THE  
ONE HUNDRED SECOND CONGRESS  
OF THE UNITED STATES OF AMERICA

1992

AND

TWENTY-SEVENTH AMENDMENT TO THE  
CONSTITUTION AND PROCLAMATIONS

---

VOLUME 106

IN SIX PARTS

---

PART 2

PUBLIC LAWS 102-343 THROUGH 102-394



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON 1993

Public Law 102-381  
102d Congress

An Act

Oct 5 1992  
[H R 5503]

Department of  
the Interior and  
Related  
Agencies  
Appropriations  
Act 1992

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes, namely*

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, \$544,877,000, and \$2,500,000 from unobligated balances appropriated under this heading in Public Law 99-591 for insect and disease control projects, including grasshoppers, which balances may be applied to any activity provided for under this heading and of which the following amounts shall remain available until expended, not to exceed \$1,450,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a(i)), and \$33,500,000 for the Automated Land and Mineral Record System Project: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors; and in addition, \$12,430,000 for Mining Law Administration program operations to remain available through September 30, 1993, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim holding fees: *Provided further*, That the sum herein appropriated shall be reduced as mining claim holding fees are received during fiscal year 1993 so as to result in a final fiscal year 1993 appropriation estimated at not more than \$544,877,000: *Provided further*, That in addition to funds otherwise available, not to exceed \$5,000,000 from annual mining claim holding fees shall be credited to this account for the costs of administering the mining claim holding fee program, and shall remain available until expended.

For n  
rehabilitat  
emergency  
to remain  
also are to  
priation a  
for such j  
of amounts  
heading "F  
ferred to  
as one app

EMERGE

For em  
of the Depa  
until exper  
for repaym  
which funds  
further, The  
hired pursu  
and lodging  
tion.

In addi  
sion activit  
remain ava  
any portion  
1993 only (1  
of his desig  
requiremen  
Control Act  
under this l  
pursuant to  
gency Defici  
the most re  
saving progr  
designates t  
to section 2  
Deficit Contr

For acqu  
of buildings  
facilities, \$15

For exp  
1976 (31 U.  
\$400,000 sha

For exp  
205, 206, and  
expenses and

## ADMINISTRATIVE PROVISION

None of the funds available to the Office of Surface Mining Reclamation and Enforcement shall be expended to create or maintain more than one Deputy Director position.

## BUREAU OF INDIAN AFFAIRS

## OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices; maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, \$1,353,899,000, including \$270,638,000 for school operations costs of Bureau-funded schools and other education programs which shall become available for obligation on July 1, 1993, and shall remain available for obligation until September 30, 1994, and \$53,954,000 for housing improvement and road maintenance, to remain available until expended, and of which, funds obligated as grants to schools pursuant to Public Law 100-297 shall be made on July 1 and December 1 in lieu of the payments authorized to be made on October 1 and January 1 of each calendar year, and of which not to exceed \$71,954,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, 1994; and the funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1993 as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee; and of which \$2,000,000 for litigation support shall remain available until expended, \$4,937,000 for self-governance tribal compacts shall be made available on completion and submission of such compacts to the Congress, and shall remain available until expended; and of which \$1,190,000 for expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531 (25 U.S.C. 640d-18(a)), shall remain available until expended: *Provided*, That none of the funds appropriated to the Bureau of Indian Affairs shall be expended as matching funds for programs funded under section 103(b)(2) of the Carl D. Perkins Vocational Education Act: *Provided further*, That \$200,000 of the funds made available in this Act shall be available for cyclical

maintenance  
*Provided fu*  
construction  
23 U.S.C. 1  
Juneau Area  
of such Trar  
Affairs syst  
way trust f  
*vided furthe*  
by the Secr  
trust fund a  
*further*, The  
Bureau of I  
any third p  
trust funds  
individuals I  
date, the re  
independent  
possible, an  
with an acc  
standing ar  
shall not co  
mismanager  
Indian has  
which the  
loss: *Provid*  
education p  
the Close U  
on Bureau o  
under its cl  
*Provided fu*  
implemented  
its impleme  
submitted to  
except that  
related only  
comments o  
for review  
That to prov  
pact, any fi  
than one ye  
shall remain  
*further*, That  
tribal govern  
teria or by  
or change th  
within the s  
eligible for  
are applied i  
*Provided fur*  
be available  
*vided further*  
sive tribal p  
ance paymer  
incorporate,  
service, educ  
prior to char

Surface Mining  
cre: or main-

penditure, con-  
g expenses nec-  
Indians, either  
organizations,  
other expenses  
schools; grants  
ice of law and  
d protection of  
isdiction of the  
igation assess-  
nces for Indian  
ndian arts and  
arts and crafts,  
of the Bureau  
ices; maintain-  
101 of title  
2 improvement  
3,000 for school  
education pro-  
July 1, 1993,  
mber 30, 1994,  
maintenance,  
unds obligated  
297 shall be  
nts authorized  
calendar year,  
cat scholar-  
pub... schools  
amended (25  
ligation until  
to tribes and  
ligated during  
Determination  
grants author-  
38 (25 U.S.C.  
ended by the  
gation support  
or self-govern-  
ompletion and  
shall remain  
for expenses  
(a) of Public  
available until  
riated to the  
atching funds  
arl D. Perkins  
00,000 of the  
s for cyclical

maintenance of tribally owned fish hatcheries and related facilities: *Provided further*, That for the purpose of Indian Reservation road construction, all public Indian reservation roads (as defined in 23 U.S.C. 101), identified in the 1990 Bureau of Indian Affairs Juneau Area Transportation Study (and in any subsequent update of such Transportation Study) shall be included as Bureau of Indian Affairs system adjusted miles in the Bureau of Indian Affairs highway trust fund formula for distribution for fiscal year 1993: *Provided further*, That this provision shall expire upon implementation by the Secretary of the Interior of a relative needs based highway trust fund allocation formula pursuant to 23 U.S.C. 202(d): *Provided further*, That none of the funds in this Act shall be used by the Bureau of Indian Affairs to transfer funds under a contract with any third party for the management of tribal or individual Indian trust funds until the funds held in trust for all such tribes or individuals have been audited and reconciled to the earliest possible date, the results of such reconciliation have been certified by an independent party as the most complete reconciliation of such funds possible, and the affected tribe or individual has been provided with an accounting of such funds: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That \$300,000 of the amounts provided for education program management shall be available for a grant to the Close Up Foundation: *Provided further*, That the Task Force on Bureau of Indian Affairs Reorganization shall continue activities under its charter as adopted and amended on April 17, 1991: *Provided further*, That any reorganization proposal shall not be implemented until the Task Force has reviewed it and recommended its implementation to the Secretary and such proposal has been submitted to and approved by the Committees on Appropriations, except that the Bureau may submit a reorganization proposal related only to management improvements, along with Task Force comments or recommendations to the Committees on Appropriations for review and disposition by the Committees: *Provided further*, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: *Provided further*, That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated: *Provided further*, That any savings realized by such changes shall be available for use in meeting other priorities of the tribes: *Provided further*, That any such change must be part of a comprehensive tribal plan for reducing the long-term need for general assistance payments: *Provided further*, That any such tribal plan must incorporate, to the greatest extent feasible, currently existing social service, educational training, and employment assistance resources prior to changing general assistance eligibility or payment stand-

ards which would have the effect of increasing the cost of general assistance. *Provided further*, That any net increase in costs to the Federal government which result solely from tribally-increased payment levels shall be met exclusively from funds available to the tribe from within its tribal priority allocation. *Provided further*, That the obligated and unobligated balances for construction contract support for Public Law 93-638 contractors associated with the housing improvement program and the road maintenance program shall be transferred to this account from the "Construction" account, and shall remain available until expended. *Provided further*, That any funds granted to the All Indian Pueblo Council of New Mexico pursuant to Public Law 93-638 for a study of the best use of the land and planning associated with development of the site of the former Albuquerque Indian School, at the discretion of the Secretary, may include the preparation of bid proposals in response to solicitations issued by the General Services Administration for commercial leases, with the condition that evidence of agreements with the City of Albuquerque and the State of New Mexico concerning payments of all local and State taxes equivalent to taxes applicable to similarly situated office buildings and compliance with land use requirements be provided to the General Services Administration. *Provided further*, That no funds provided for the purpose described in the previous provision shall be used for planning or development of Class I, II, or III gaming, as defined in the Indian Gaming Regulatory Act of 1988, 102 Stat. 2476. *Provided further*, That the obligated and unobligated balances associated with the housing improvement program and the road maintenance program shall be transferred to this account from "Construction", and shall remain available until expended.

#### CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; and preparation of lands for farming, \$150,896,000, to remain available until expended. *Provided*, That \$1,482,000 of the funds made available in this Act shall be available for rehabilitation of tribally owned fish hatcheries and related facilities. *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation. *Provided further*, That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs. *Provided further*, That funds appropriated in fiscal year 1991 (Public Law 101-512) and fiscal year 1992 (Public Law 102-154) and allocated by the Bureau of Indian Affairs to the Flathead Agency Irrigation Division for irrigation construction, including funds to provide continuous monitoring and recording instrumentation of the movement, quantities, and distribution of irrigation water in the various on-reservation streams and irrigation canals, shall be made available on a non-reimbursable basis and shall not be included as funds subject to the appropriation limit established in the Act of May 25, 1948 (62 Stat. 269) as amended by the Act of October 8, 1964 (78 Stat. 1042). *Provided further*, That none of the funds available to the Bureau of Indian Affairs in this or any other Act shall be used to transfer, through

agreement, m  
or other met  
Indian Affa  
That nothing  
or tribes from  
of the Bureau  
funds provide  
transfer pursu

For misc  
pursuant to F  
580, 101-618,  
funds for nec  
\$500,000 shall  
to the provisi  
available until  
herein \$3,000  
owed tribal a  
pursuant to s  
of 1987 (Publ  
and (2) to res  
invested in cr  
and which we  
these amounts  
of the default

For Nava  
in accordance  
93-531, as a  
administrative  
expended

TEC

For paym  
associated with  
ing Act of 1974

For the cos  
ment Act of 19  
assistance loa  
amended, and  
Financing Act  
these funds a  
principal amou

INDA

For the co  
by the Indian  
such costs incl  
as defined in s  
Provided furthe

agreement, memorandum of understanding, demonstration project or other method, the Safety of Dams program of the Bureau of Indian Affairs to the Bureau of Reclamation: *Provided further*, That nothing herein shall prevent the Bureau of Indian Affairs or tribes from using, on a case-by-case basis, the technical expertise of the Bureau of Reclamation: *Provided further*, That none of the funds provided for the Safety of Dams program are available for transfer pursuant to sections 101 and 102 of this Act.

#### MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals pursuant to Public Laws 98-500, 99-264, 100-383, 100-512, 100-580, 101-618, 101-602, 101-486, 100-585, and 102-171, including funds for necessary administrative expenses, \$38,609,000, of which \$500,000 shall be available to the Trust of St. George pursuant to the provisions of 16 U.S.C. 1166(e), as amended, to remain available until expended: *Provided*, That of the funds provided herein \$3,000,000 shall be available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100-86 (101 Stat 659)), 31 U.S.C. 3334(b), and (2) to restore to Individual Indian Monies trust funds amounts invested in credit unions or defaulted savings and loan associations and which were not federally insured, including any interest on these amounts that may have been earned, but was not because of the default.

#### NAVAJO REHABILITATION TRUST FUND

For Navajo tribal rehabilitation and improvement activities in accordance with the provisions of section 32(d) of Public Law 93-531, as amended (25 U.S.C. 640d-30), including necessary administrative expenses, \$4,000,000, to remain available until expended.

#### TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

For payment of management and technical assistance requests associated with loans and grants approved under the Indian Financing Act of 1974, as amended, \$1,987,000.

#### INDIAN DIRECT LOAN PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of expert assistance loans authorized by the Act of November 4, 1963, as amended, and the cost of direct loans authorized by the Indian Financing Act of 1974, as amended, \$2,500,000: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$11,300,000.

#### INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans \$8,864,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total

loan principal any part of which is to be guaranteed not to exceed \$68,800,000.

In addition, for administrative expenses necessary to carry out the guaranteed loan program, \$906,000, which may be transferred to and merged with the appropriations for Operation of Indian Programs.

#### ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, the Technical Assistance of Indian Enterprises account, the Indian Direct Loan Program account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 258 passenger carrying motor vehicles, of which not to exceed 212 shall be for replacement only.

#### TERRITORIAL AND INTERNATIONAL AFFAIRS

##### ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of territories under the jurisdiction of the Department of the Interior, \$81,651,000, of which (1) \$77,105,000 shall be available until expended for technical assistance, including maintenance assistance, disaster recovery, drug interdiction and abuse prevention, and brown tree snake control and research; late charges and payments of the annual interest rate differential required by the Federal Financing Bank, under terms of the second refinancing of an existing loan to the Guam Power Authority, as authorized by law (Public Law 98-454; 98 Stat. 1732); grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$4,546,000 shall be available for salaries and expenses of the Office of Territorial and International Affairs: *Provided*, That the territorial and local governments herein provided for are authorized to make purchases through the General Services Administration: *Provided further*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, shall be audited by the General Accounting Office, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99-396, except that should the Secretary of the Interior believe that the performance standards of such agreement are not being met, operations funds may be withheld, but only by Act of Congress as required by Public Law 99-396: *Provided further*, That \$1,025,000 of the amounts provided for technical assistance shall be available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance

48 USC 1401f  
1423f, 166j

48 USC 1469b

nance impr  
operations a  
Samoa, Gual  
ern Mariana  
Marshall Isl  
assessments  
improved cal  
and agencies  
training), and  
pation and c  
on the indiv.  
of its capital a

For exp  
in administrat  
ant to the 7  
of July 18,  
(68 Stat. 330  
495), and gr  
in addition to  
\$23,249,000,  
\$18,596,000  
That all fina  
such transact  
or utilized by  
Accounting C  
States Code  
Territory of  
through the  
That all Gov  
for the Repul  
shall be cred  
made pursua  
of Free Associ  
mented before  
than \$300,000  
of government  
Micronesia in  
sian entities.

For econo  
erated States  
as provided f  
Compacts of  
until expende  
That the effec  
nomic assistan  
tion, Public L  
Compact as c  
101-219.